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September 8, 2008

Honorable Leonard B. Sand, U.S.D.J.
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street, Room 1650
New York, N.Y. 10007

Re: *U.S. v. Alton Davis et al., including Roderick Gunn,*
Dkt. No. S1 06 Cr. 911 (LBS)

Dear Judge Sand:

In accordance with the Court's instructions of May 6, 2008 this letter is to advise Your Honor of pre-trial motions that are intended to be submitted on Mr. Roderick Gunn's behalf. It is our understanding that Your Honor will set a motion schedule for all parties at the next status conference of September 15, 2008 at 10 A.M.

The following is a non-exhaustive list of motions expected to be submitted for Mr. Gunn:

1. Motion for Severance, Improper Joinder, **Fed.R.Crim.P. 8.**
2. Motion for Severance, Prejudice, **Fed.R.Crim.P. 14.**
3. Motion to Suppress Gunn's Statements, Violation of **Sixth Amendment of the U.S. Const.** (Right to Counsel Clause).
4. Motion to Dismiss Indictment, Violation of **Fifth Amendment of the U.S. Const.** (Double Jeopardy Clause).
5. Motion to Dismiss Indictment on Grounds of Pre-Indictment Delay, Government Vindictiveness, Insufficiency of Evidence to Support Several Counts, and Government violation of **Fed.R.Crim.P. 6.**

Unless good cause is shown, we anticipate filing all pre-trial motions for Mr. Gunn in compliance with the Court's prospective motion schedule.

Thank you.

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**Letter to Hon. Leonard B. Sand, U.S.D.J.
September 8, 2008**

Respectfully submitted,

s/ Richard Palma

Richard Palma

ECF filed.

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